

# United States District Court

State and

DISTRICT OF

New Mexico

FILED

UNITED STATES OF AMERICA

V.

UNITED STATES DISTRICT COURT

ALBUQUERQUE, NEW MEXICO

CRIMINAL COMPLAINT

LUCAS MICHAEL RAY STEVEN TOLEDO

Year of Birth: 1988

SSAN: XXX-XX-5031

SEP 30 2010

CASE NUMBER:

MATTHEW J. DYKMA

CLERK

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about September 29, 2010 in Sandoval county, in the state and District of New Mexico defendant(s)

an enrolled member of the Pueblo of Jemez, did murder with malice aforethought Matthew Panana, year of birth 1989, an enrolled member of the Pueblo of Jemez by knowingly, willfully, deliberately, maliciously, and with premeditation, stabbing him and striking him in the back, abdomen, neck and head with knives and a shovel, and that the homicide occurred in the state and district of New Mexico and within the exterior boundaries of the Jemez Indian Reservation,

in violation of Title 18 United States Code, Section(s) 1153, 1111(a)

I further state that I am a Special Agent, FBI and that this complaint is based on the following  
Official Title

facts: See attached Affidavit.

Continued on the attached sheet and made a part hereof:

☒ YES

☐ No

Sworn to before me and subscribed in my presence,

September 30, 2010

Date

at

Albuquerque, New Mexico

City and State

U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Complainant

CHRISTOPHER J. GEIGER  
Federal Bureau of Investigation

Signature of Judicial Officer



1 Matthew and Lucas are enrolled members of the Jemez Pueblo. The  
2 homicide occurred within the exterior boundaries of the Jemez  
3 Indian Reservation.

4  
5 3. During the early morning hours of September 29, 2010,  
6 sometime between 12:30 a.m. and 1:30 a.m., Matthew and Lucas  
7 drove to a Lucas' house, located at 75 Eagle Nest Street, Jemez  
8 Pueblo, New Mexico 87024. That residence is owned by Mary  
9 Orlinda Toledo (Mary), Lucas' biological mother.

10  
11 4. Upon arriving, Lucas and Mary began arguing. Matthew  
12 left to avoid becoming involved and soon thereafter Mary left,  
13 walking to her nephew's house at 31 Sheep Spring Circle, Jemez  
14 Pueblo, New Mexico 87024. Mary's nephew is Joe Ray Toledo (Joe  
15 Ray).

16  
17 5. Once Mary left the house, Lucas went to his bedroom  
18 and attempted to fall asleep. While trying to sleep, Lucas  
19 claimed that Matthew knocked on his window and then ran away.  
20 The knocking continued several times so Lucas exited the house  
21 armed with a box-cutter razor blade and a kitchen knife to  
22 confront Matthew.

23  
24 6. Lucas and Matthew met on the lawn outside of Lucas'  
25 bedroom window, Lucas used his kitchen knife to stab Matthew in  
26 the back several times. Matthew fell to the ground and Lucas  
27 kicked him several times in the face. During an interview,  
28 Lucas described Matthew as remaining conscious after the initial

1 attack and still able to speak.

2  
3 7. Lucas walked back into the house and retrieved another  
4 knife. He exited the house and picked up a shovel that lay in  
5 the yard before returning to Matthew, who was now laying with  
6 his back to the ground. Lucas used the shovel to strike Matthew  
7 several times in the face. He then used one of the knives to  
8 slash open Matthew's throat and abdomen and to stab him several  
9 times in the face.

10  
11 8. Lucas dropped the knife and reached into wounds in  
12 both Matthew's throat and abdomen with his bare hands. While  
13 reaching inside Matthew's abdomen Lucas pulled out handfuls of  
14 Matthew's entrails, throwing several of the entrails on  
15 Matthew's body and wrapping some around Matthew's neck.

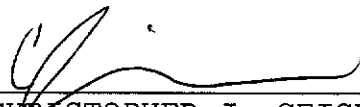
16  
17 9. Lucas returned to the house and applied black and  
18 white paint to his face. While Lucas was inside the house, Mary  
19 and Joe Ray returned to the residence in Joe Ray's vehicle.  
20 They got out of the vehicle and saw Lucas exit the house,  
21 wearing face paint and long, metal-spiked bracelets. Interviews  
22 with Mary and Joe Ray revealed that, at that time, Lucas had  
23 reddish stains on his clothing and arms. Mary and Joe Ray were  
24 intimidated so they returned to the vehicle. While backing away  
25 from the house and with the assistance of the vehicle's  
26 headlights, Joe Ray saw Lucas pick up the shovel and hit Matthew  
27 in the head several times.

1 10. Mary and Joe Ray drove to the local sheriff's house,  
2 reported the incident, and returned to Joe Ray's house where  
3 they were later interviewed by FBI Special Agents.  
4

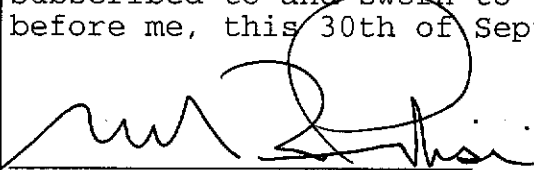
5 11. After the departure of Mary and Joe Ray, Lucas leaned  
6 on the body with his forearms and foot. In an interview, he  
7 described a "gurgling" noise that exited the body when he  
8 applied pressure. Lucas returned to his bedroom inside the  
9 house. He drank a soda and made a phone call while waiting for  
10 the police to arrive.  
11

12 12. Based on the information set forth in this affidavit,  
13 your affiant submits that there is probable cause to believe  
14 that during the morning of September 29, 2010, Lucas Toledo,  
15 year of birth 1988, an enrolled member of the Pueblo of Jemez, did murder  
16 with malice aforethought Matthew Panana, year of birth 1989, an enrolled  
17 member of the Pueblo of Jemez by knowingly, willfully, deliberately,  
18 maliciously, and with premeditation, stabbing him and striking him in the  
19 back, abdomen, neck and head with knives and a shovel, and that the homicide  
20 occurred in the state and district of New Mexico and within the exterior  
21 boundaries of the Jemez Indian Reservation, in violation of Title 18,  
22 United States Code, Sections 1153 and 1111(a).  
23  
24  
25  
26  
27  
28

1  
2  
3  
4 I swear that this information is true and correct to  
5 the best of my knowledge.

6  
7   
8 CHRISTOPHER J. GEIGER  
9 Special Agent,  
Federal Bureau of Investigation

10 Subscribed to and sworn to  
11 before me, this 30th of September, 2010

12   
13  
14 United States Magistrate,  
Albuquerque, NM

15  
16 Reviewed and approved by SAUSA Glynette Carson-McNabb  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28